

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JENNIFER BABSON,	)	NO. _____
	)	
Plaintiff,	)	JUDGE _____
v.	)	
	)	MAGISTRATE JUDGE
RHONDA JONES and LANDSTAR	)	_____
RANGER, INC.,	)	
	)	JURY DEMAND
Defendants.	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, defendant Landstar Ranger, Inc. ("Landstar" or "Defendant"), by counsel, files this Notice of Removal of this action from the Circuit Court in Rutherford County, Tennessee, where it is now pending, to the United States District Court for the Middle District of Tennessee based upon diversity of citizenship and an amount in controversy exceeding \$75,000. The grounds for removal are as follows.

**Procedural Background**

1. This action was commenced on or about January 18, 2022 by Plaintiff's filing of the Complaint in the Rutherford County Circuit Court in Murfreesboro County, Tennessee, case no. 79348 (the "Complaint"). True and accurate copies of the pleadings served upon this Defendant in this action are attached as Exhibit A.

2. The Complaint was served on this Defendant on or about January 28, 2022. The Notice of Removal is being filed within thirty (30) days after service of the Complaint on this Defendant in the matter; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.

3. The Complaint contains allegations of negligence and negligence *per se* against defendant Rhonda Jones in operating the vehicle without exercising ordinary and due care, thus

leading to Plaintiff's injuries. It contains allegations of vicarious liability against this Defendant. It also contained allegations of direct negligence against Landstar. Plaintiff seeks damages in amount not to exceed \$100,000 in her Complaint. Accordingly, the amount in controversy exceeds \$75,000, such that this Court has jurisdiction over the matter.

4. According to the Complaint, Plaintiff is a citizen and resident of Rutherford County, Tennessee.

5. Defendant Landstar Ranger, Inc. is a foreign corporation organized under the laws of the State of Delaware with its principal place of business in Florida.

6. Defendant Rhonda Jones is a citizen and resident of the State of Georgia. Undersigned counsel is also representing Ms. Jones in this matter, and she consents to the removal of this matter to the United States District Court for the Middle District of Tennessee.

7. The United States District Court for the Middle District of Tennessee has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 as there is complete diversity of the parties, and the amount in controversy clearly exceeds \$75,000 exclusive of interest and costs.

8. A copy of this Notice of Removal is being served via email on counsel for Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Rutherford County Circuit Court in Rutherford County, Tennessee, in accordance with 28 U.S.C. § 1446(d). (Copies of those notices are attached as Exhibit B.) The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

9. Defendant demands a jury to try this case.

**WHEREFORE**, Defendant prays this Court consider the Notice of Removal as provided by law governing removal of cases to this Court and that this Court enter the appropriate orders

to effect the removal of this case from the Rutherford County Circuit Court in Murfreesboro, Tennessee to this Court.

Respectfully submitted,

LEWIS THOMASON, P.C.

By: /s/Mary Beth White

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*Attorneys for defendant Landstar Ranger, Inc.*

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing NOTICE OF REMOVAL has been served on the following counsel of record via email:

Aaron Woodard, Esq.  
Bart Durham Injury Law  
404 James Robertson Parkway, Suite 1712  
Nashville, TN 37219

This the 25<sup>th</sup> day of February 2022.

/s/Mary Beth White